

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

FILED

JOHNATHAN JOHNSON,
Plaintiff,

-vs-

B. CONNOLLY, et al.,
Defendants,

2007 OCT 12 AM 9:34
U.S. DISTRICT COURT
AFFIRMATION

07-CV-06077

[David G. Luriner]

STATE OF NEW YORK
COUNTY OF FRANKLIN ss:

JOHNATHAN JOHNSON 89A1042, affirms the following

1] I am Plaintiff in this action, and I respectfully submit this affirmation in opposition to the motion dated October 4, 2007, made by [Gary M. Levine, Assistance Attorney General, asking that the Court order the following relief: [granting an order for a change of venue]

2] The motion is scheduled to be heard on submission with NED date notice.

3] I have personal knowledge of facts which bear on this motion because [I have filed this action within this Court of Western District of New York [venue]

4] The motion should be denied because [28 U.S.C. Section 112, specifies, that, where the claim arose

See also [28 U.S.C. Section 1391(b)(2)].

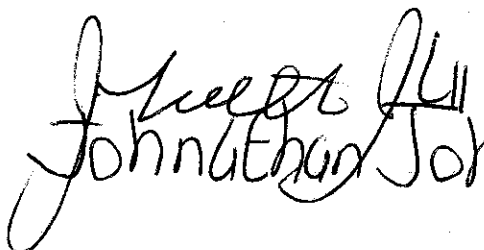
5] In this case, the events occurred at the Elmira Correctional Facility, Chemung County, [see] First and Second Cause of action [Court's File], [28 U.S.C. Section 112] Supra.

Generally, it is preferable to bring the claim in the Court [Western District] that has jurisdiction over the place where the claim arose [Elmira Correctional Facility], [28 U.S.C. Section 1391(b)]. The determination of where the claim arose usually refers to where the injury or the events or omissions giving rise to the claim actually occurred.

6] In view of the foregoing, it is respectfully submitted that the motion should be denied.

I declare under penalty of perjury that the foregoing is true and correct.

Dated October 9, 2007


Jonathan Johnson [Prose]

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOHNATHAN JOHNSON,
Plaintiff,
-Vs-

AFFIRMATION OF SERVICE

07-CV-06077

B. CONNOLLY, et al.,
Defendants.

[David G. Lerner]

I, Jonathan Johnson, 89A1042, declare under penalty of perjury that I have served a copy of the attached [Affirmation] upon: [Gary M. Levine, Assistant Attorney General of Counsel] whose address is: [New York State Office of the Attorney General, 144 Exchange Boulevard, Suite 200, Rochester, New York 14614], by mailing it on 10/10/07.

Dated: October 9, 2007

To: Clerk, U.S. District Court
2120 U.S. Court House
100 State Street
Rochester, N.Y. 14614

cc: S. Johnson's
files

Michael G. Lerner
Jonathan Johnson
[Pro se]